

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JUAN JOSE AMESQUITA,

Case No. 1:05-cv-00055-LJO-JDP

Petitioner,

ORDER GRANTING IN PART  
PETITIONER'S MOTION FOR COPY OF  
RECORDS, DOCUMENTS, PAPERS,  
EXHIBITS, AND TRANSCRIPTS

ROD HICKMAN,

(Doc. No. 58.)

Petitioner Juan Jose Amesquita filed a petition for writ of habeas corpus under 28

16 U.S.C. § 2254, and the court denied the petition. (Doc. Nos. 28, 30.) Petitioner appealed, and  
17 the Ninth Circuit denied review. (Doc. No. 57.)

18 Petitioner moves for a “complete copy of the Eastern District Court records, documents,  
19 papers, exhibits and any and all transcripts in the court record.” (Doc. No. 58.) He states that  
20 he needs the documents to prepare for a proceeding before the United States Supreme Court.  
21 (*Id.* at 1.) A district court may direct the clerk of court to furnish certified copies of the record  
22 without cost:

If on any application for a writ of habeas corpus an order has been made permitting the petitioner to prosecute the application in forma pauperis, the clerk of any court of the United States shall furnish to the petitioner without cost certified copies of such documents or parts of the record on file in his office as may be required by order of the judge before whom the application is pending.

27 28 U.S.C. § 2250. The clerk of court ordinarily charges \$0.50 cents for each page printed.

<sup>28</sup> See *Manago v. Davey*, No. 16-cv-399, 2018 WL 888946, at \*2 n.1 (E.D. Cal. Feb. 14, 2018).

1       Here, the docket contains 1,259 pages of electronically-filed documents. It would be  
2 difficult for the petitioner to pay \$629.50, so the undersigned will not require petitioner to pay.  
3 Still, requiring the clerk of court to print and send a certified copy of 1,259 pages is wasteful  
4 and places too much burden on the clerk of court. Thus, the undersigned will grant petitioner's  
5 motion only in part. Petitioner will receive, for free of charge, only one copy of the documents  
6 electronically filed in this case. Each printed sheet will contain four pages from the documents  
7 filed and be double-sided, making the total 158 printed sheets. Petitioner does not ask for a  
8 certified copy, and the printed sheets need not be certified. The undersigned's staff will print a  
9 non-certified copy, and the clerk of court will mail it to petitioner. If petitioner seeks a copy of  
10 other documents, such as those that have not been electronically filed, he must file a separate  
11 motion, and he will be required to pay full charges for printing, mailing, and other  
12 administrative tasks.

13       Petitioner states that he needs the documents to prepare for a proceeding before the  
14 United States Supreme Court. (Doc. No. 58, at 1.) The pertinent statute here, 28 U.S.C.  
15 § 2250, does not limit the production of documents for a particular purpose, and whether  
16 petitioner's proceeding before the Supreme Court would be procedurally sound is not for this  
17 court to decide. Petitioner also requests a copy of the record from another case, 1:00-cv-706,  
18 which is not assigned to the undersigned. (*See* Doc. No. 58, at 1.) Petitioner has filed an  
19 identical motion in 1:00-cv-706, and a magistrate judge assigned to that case will decide  
20 whether to grant petitioner's request.

21       **Order**

22       Petitioner's motion for a copy of the record (Doc. No. 58) is granted in part and denied in  
23 part.

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2 IT IS SO ORDERED.  
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4 Dated: September 28, 2018  
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10 UNITED STATES MAGISTRATE JUDGE